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C O N F I D E N T I A L SECTION 01 OF 03 KUWAIT 000346

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STATE FOR DRL/PHD, DRL/CRA, NEA/ARP, NEA/REA, NEA/PI

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SUBJECT: SUPPORTING HUMAN RIGHTS AND DEMOCRACY: THE U.S.

RECORD 2003-2004

REF: 03 SECSTATE 333935

Classified By: Charge d'Affaires Frank C. Urbancic, reason 1.4(d)

1.(U) This is a response to reftel action request. Below is Embassy Kuwait's report for inclusion in the "Supporting Human Rights and Democracy: The U.S. Record" 2003-2004 edition. Please note paragraph three request for Department decision.

2.(U) BEGIN TEXT: Kuwait is a hereditary emirate with a written constitution and an elected National Assembly. The Government generally respected the basic human rights of its citizens in 2003. However, many problems remained. National Assembly elections held in July 2003 were generally free and in accordance with Kuwait's electoral laws; however, illegal tribal primaries and Government and opposition vote-buying were problems in some districts. Women, who comprise slightly more than half the citizen population, do not have the right to vote or seek election to the National Assembly. Some police and members of the security forces committed human rights abuses. Some domestic servants and unskilled foreign laborers faced abuse and worked under conditions that constituted indentured servitude. The judiciary remained subject to government influence, and foreign residents faced pervasive judicial discrimination. The Government placed some limits on freedoms of speech, assembly, association, religion, and movement. Some young boys from South Asia were used as jockeys in camel races. The Government did not meet the minimum standards for eliminating trafficking in persons, but made some positive efforts to do so.

The 2003-2004 U.S. human rights and democracy strategy for Kuwait addresses a wide range of critical issues, including women's empowerment, worker rights, treatment of domestic servants, parliamentary strengthening, promotion of civil society, and trafficking in persons. The Embassy actively engages with government officials, parliamentarians, NGOs, women's groups, and others to advance dialogue and debate on women's political rights, support for basic freedoms, and equal protection under the law for foreign laborers. In addition to regular bilateral dialogue with Government members at all levels on key human rights issues, Embassy officials frequently attend informal yet influential weekly evening gatherings in private homes ("diwanias") to promote awareness and understanding of U.S. human rights and democratic values. The Embassy uses the various programming tools available to the Public Affairs Section and funding through the Middle East Partnership Initiative to strengthen democracy and respect for human rights in Kuwait. U.S. diplomatic, programming, and advocacy efforts resulted in some positive changes to Kuwait's overall human rights situation during the year.

Parliamentary institutional and capacity building is a key component of the Embassy's strategy to strengthen democracy and the rule of law in Kuwait. Kuwait's elected National Assembly is active and assertive, and regularly challenges Government decisions. However, parliamentarians often lack access to policy and legal information, and many have limited knowledge of the U.S. The Embassy will bring a U.S. trade expert to Kuwait in February 2004 to provide focused training to parliamentarians on trade liberalization and reform issues. The Embassy's Public Affairs Section has agreed with Kuwait's National Assembly to establish a permanent "American Studies Corner" in the National Assembly's library in 2004 to provide comprehensive resource information to parliamentarians on U.S. history, law, political system, and business environment, including an encyclopedia of U.S. law and CD-ROM information. The Embassy believes that such initiatives will strengthen the capacity of Kuwait's parliament as a democratic institution and encourage broader understanding of U.S. human rights and democratic values.

Kuwait has a vibrant press and the basic rights of free speech, press, and assembly are well established and generally respected by the Government. However, the Government continued to impose some restrictions on freedom of speech and of the press in 2003, and journalists practiced self-censorship. As part of the Embassy's ongoing efforts to strengthen Kuwait's media and promote more responsible journalism, the Public Affairs Section sent a young Kuwaiti female journalist to the U.S. in 2003 on an International

Visitors program for "Young Professional Journalists" and will send another female journalist to the U.S. in 2004 on an International Visitors program on "U.S. Media and Political Campaigns." A visiting speaker will conduct a workshop for local print media representatives in 2004 on accurate, ethical, and balanced reporting.

The Embassy actively encourages positive debate on the role and status of women in Kuwaiti society, and the impact of women's disenfranchisement on their basic rights and protections. The Embassy also assists women's rights activists to develop effective advocacy and political action strategies. As part of these efforts, the Embassy plans to send two or three Kuwaiti women activists to Amman, Jordan, in February 2004 to participate in a workshop hosted by the Government of Jordan and supported by the Middle East Partnership Initiative entitled "Women and the Law -- A Regional Dialogue: Supporting Voices of Change." Participants will address and discuss challenges facing women in the legal and judicial system, and aspects of law that directly impact women in the region.

Apathy and disinterest among many Kuwaiti women are key factors inhibiting a more vibrant women's rights movement. As a direct push for full political rights does not appeal to many women, women's rights activists hope to highlight ways in which women are economically and legally disadvantaged as a result of their disenfranchisement, in order to galvanize broader societal support for political reform. The Embassy supported these grassroots civil society efforts through various programs and exchanges during the year. In May 2003, the Embassy sent an influential Kuwaiti male businessman and supporter of women's rights to the U.S. to participate in a "Women as Leaders in the Public and Private Sectors" project to study American women's experiences in the U.S. political process. His participation was an integral part of Embassy efforts to encourage Kuwaiti men to support women's political rights -- a challenge in Kuwait's patriarchal society. The Embassy requested an NEA Democracy Small Grant of \$34,350 in late 2003 to sponsor a gender budgeting study to be carried out by a local NGO. The study will entail a gender-sensitive analysis of the most recent government budget to highlight gender inequity in government spending. The Embassy will assist the NGO and women's rights activists in sharing the findings of the study with government officials, parliamentarians, and others to advocate for greater gender equality. In a related initiative, the Embassy's Public Affairs Section will bring a U.S. speaker to Kuwait in February 2004 to provide advocacy and political action campaign training to another local NGO planning to challenge an inequitable social allowance law.

The Embassy raises religious freedom issues with the Government in the context of its overall dialogue and policy of promoting human rights. The Embassy actively encourages the Government to address the concerns of religious leaders, such as overcrowding, lack of worship space, and inadequate staffing. Embassy officials meet regularly with recognized Sunni, Shi'a and Christian groups, and representatives of various unrecognized faiths, to hear their concerns and monitor progress on religious freedom issues.

Foreign workers, who comprise more than half of Kuwait's total population, suffered from the lack of a minimum wage in the private sector, poor working conditions, weak Government enforcement of some Labor Law provisions, and sometimes abuse at the hands of their employers. Therefore, the Embassy focused particular attention on efforts to improve labor rights and working conditions, and encouraged the Government to reform its outdated Labor Law to conform more closely to internationally recognized labor standards. At year's end, a draft new Labor Law was under parliamentary review and an influential NGO held a public seminar on the treatment of foreign laborers, bringing together for the first time members of the Government, parliament, labor unions, and NGOs to discuss the status and treatment of foreign workers in Kuwait. The Embassy maintained a close working relationship with NGOs and domestic and international labor groups, especially the International Labor Organization, to monitor labor conditions and investigate incidents of abuse.

The Embassy and senior State Department officials consistently urged the Government to strengthen legal and regulatory measures to combat human trafficking. The Ambassador hosted a roundtable discussion on trafficking in May 2003 comprising Embassy officials, labor attaches and other diplomatic representatives from the major source country embassies to share ideas and propose strategies to address continued abuses. Embassy officials worked throughout the year to encourage the Government to improve protections for the estimated 500,000 domestic servants who remained excluded from the Labor Law, strengthen enforcement of regulations banning the employment of minors as camel jockeys, and vigorously investigate incidents of human trafficking. END TEXT

3.(C) We leave it to the Department's discretion whether to insert into this unclassified report, after the first sentence of the final paragraph, specific mention of senior-level demarches on trafficking in persons as follows: Secretary Powell raised USG trafficking concerns, mainly the

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treatment of female domestic servants and the use of underage boys as camel jockeys, when he received Kuwait's Minister of State for Foreign Affairs in Washington in April 2003. During his visit to Kuwait in January 2004, NEA Assistant Secretary Burns met with Kuwait's Foreign Minister and stressed the need for improved efforts to eliminate trafficking.

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